

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

FRANKLYN DEVON PRILLERMAN,	:	
	:	
Plaintiff	:	CIVIL ACTION NO.
	:	13-1414
v.	:	
	:	
CITY OF PHILADELPHIA, ET. AL.,	:	JURY TRIAL DEMANDED
	:	
Defendant	:	
	:	

ORDER

AND NOW this day _____ of _____ 2015, upon consideration of Plaintiff's Motion to Compel Discovery, and the Defendants' Response, it is hereby ORDERED AND DECREED that Plaintiff's motion is DENIED.

BY THE COURT

J.

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CITY OF PHILADELPHIA, ET. AL.,	:	JURY TRIAL DEMANDED
	:	
Defendant	:	
	:	

DEFENDANTS' RESPONSE TO PLAINTIFF'S MOTION TO COMPEL DISCOVERY

Defendants, Tanya Lynch and the City of Philadelphia hereby respond to Plaintiff's Motion to Compel Discovery.

1. Pro se plaintiff filed a motion to compel discovery on November 20, 2015.
2. Plaintiff moved this Court for an Order compelling responses to discovery for interrogatories and request for documents that were addressed to the City and Tanya Lynch.
3. Defendants admit that plaintiff served these requests on or about the dates set forth in his motion to compel.
4. Undersigned counsel has attempted on at least two occasions to contact pro se plaintiff via telephone to request more time. To date, plaintiff has not returned undersigned counsel's calls.
5. Prior to filing his motion to compel, Pro se plaintiff never attempted to confer with undersigned counsel regarding the outstanding discovery, as is required by Federal Rule of Civil Procedure 37(1).

6. On December 2, 2015 undersigned counsel served via regular mail defendants' responses to plaintiff's interrogatories and document requests addressed to the City as well as Officer Tanya Lynch. See attached Exhibit A – defendants' responses to plaintiff's discovery requests.

WHEREFORE, based on the above, defendants' respectfully request that the Court deny plaintiff's motion to compel discovery for failing to comply with Federal Rule of Civil Procedure 37(1). Further, plaintiff's motion to compel is now moot as the defendants have provided Pro se Plaintiff with their responses to his discovery requests.

Respectfully submitted

By:

DATED: December 2, 2015

/s/ Armando Brigandi
ARMANDO BRIGANDI
Divisional Deputy City Solicitor

CERTIFICATE OF SERVICE

I hereby certify that I have caused a copy of **DEFENDANT'S RESPONSE TO PLAINTIFF'S MOTION TO COMPEL DISCOVERY** to be delivered to the below named, via regular mail:

**Franklyn Prillerman
123 E. Pomona Street
Philadelphia, PA 19144**

Pro se Plaintiff

DATED: December 2, 2015

/s/ Armando Brigandi
ARMANDO BRIGANDI
Divisional Deputy City Solicitor